

GREGORY C. LOARIE (CA Bar No. 215859)
EARTHJUSTICE
50 California Street, Suite 500
San Francisco, CA 94111
Tel: (415) 217-2000
Fax: (415) 217-2040
E-mail: gloarie@earthjustice.org

ELIZABETH B. FORSYTH (CA Bar No. 288311)
EARTHJUSTICE
800 Wilshire Blvd., Suite 1000
Los Angeles, CA 90017
Tel: (415) 217-2000
Fax: (415) 217-2040
E-mail: eforsyth@earthjustice.org

Counsel for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL DIVERSITY, et al.,) Case No. 3:16-cv-06040-WHA

Plaintiffs,)

vs.)

U.S. FISH & WILDLIFE SERVICE, et al.,)

Defendants,)

and)

AM. FOREST RESOURCE COUNCIL, et al.,)

Defendant-Intervenors.)

**STIPULATION AND ~~PROPOSED~~ CASE
MANAGEMENT ORDER**

STIPULATION TO CASE MANAGEMENT

Pursuant to the Court's direction at the September 21, 2017 Case Management Conference that the Parties propose a schedule that would allow the Court to hear this case by May 10, 2018, the Parties jointly propose the following schedule:

Sept. 29, 2017	Deadline to file any motions related to the administrative record. If such a motion is filed, the summary judgment briefing schedule set forth below is suspended pending resolution of the record motion, and the parties will propose a new summary judgment briefing schedule to the Court within 10 days of the resolution of the motion;
Nov. 3, 2017	Plaintiffs file their motion for summary judgment, not to exceed 25 pages;
Jan. 19, 2018:	Defendants file their combined opposition to plaintiffs' motion for summary judgment and cross-motion for summary judgment, not to exceed 25 pages;
Jan. 24, 2018:	Defendant-intervenors file their combined opposition to plaintiffs' motion for summary judgment and cross-motion for summary judgment, not to exceed 25 pages;
Mar. 16, 2018:	Plaintiffs file their combined opposition and reply brief, not to exceed 30 pages;
April 16, 2018:	Defendants file their final reply brief, not to exceed 15 pages;
April 19, 2018:	Defendant-intervenors file their final reply brief, not to exceed 15 pages;
May 10, 2018:	Oral argument on cross-motions to be held at 8:00 am.

Respectfully submitted,

Dated: Sept. 26, 2017

/s/ Gregory C. Loarie
 GREGORY C. LOARIE (CA Bar No. 215859)
 EARTHJUSTICE
 50 California Street, Suite 500
 San Francisco, CA 94111
 Tel: (415) 217-2000 / Fax: (415) 217-2040
 E-mail: gloarie@earthjustice.org

ELIZABETH B. FORSYTH (CA Bar No. 288311)
 EARTHJUSTICE
 800 Wilshire Blvd., Suite 1000
 Los Angeles, CA 90017
 Tel: (415) 217-2000 / Fax: (415) 217-2040
 E-mail: eforsyth@earthjustice.org

Counsel for Plaintiffs

1 JOHN C. CRUDEN
2 Assistant Attorney General
3 U.S. Department of Justice
4 Environment & Natural Resources Division
5 SETH M. BARSKY, Chief
6 MEREDITH L. FLAX, Assistant Chief

7 Dated: Sept 26, 2017

/s/ Jeremy Hessler (with permission)
JEREMY HESSLER (CA Bar No. 281462)
Wildlife and Marine Resources Section
P.O. Box 7611, Ben Franklin Station
Washington, D.C. 20044
(202) 305-0431 (phone)
(202) 305-0275 (fax)
jeremy.hessler@usdoj.gov

Counsel for Federal Defendants

10 Dated: Sept. 26, 2017

/s/ Alison Hunter (with permission)
Alison C. Hunter, Idaho Bar No. 8997, *Pro Hac Vice*
AlisonHunter@perkinscoie.com
Erika E. Malmén, Idaho Bar No. 6185 *Pro Hac Vice*
EMalmen@perkinscoie.com
Robert A. Maynard, Idaho Bar No. 5537 *Pro Hac Vice*
RMaynard@perkinscoie.com
PERKINS COIE LLP
1111 West Jefferson Street, Suite 500
Boise, ID 83702-5391
Telephone: 208.343.3434
Facsimile: 208.343.3232

Counsel for Defendant-Intervenors

~~[PROPOSED]~~ CASE MANAGEMENT ORDER

Pursuant to the Parties' stipulation, the briefing schedule in *Center for Biological Diversity v. U.S. Fish and Wildlife Service*, 3:16-cv-06040-WHA, is hereby as follows:

Sept. 29, 2017	Deadline to file any motions related to the administrative record. If such a motion is filed, the summary judgment briefing schedule set forth below is suspended pending resolution of the record motion, and the parties will propose a new summary judgment briefing schedule to the Court within 10 days of the resolution of the motion;
Nov. 3, 2017	Plaintiffs file their motion for summary judgment, not to exceed 25 pages;
Jan. 19, 2018:	Defendants file their combined opposition to plaintiffs' motion for summary judgment and cross-motion for summary judgment, not to exceed 25 pages;
Jan. 24, 2018:	Defendant-intervenors file their combined opposition to plaintiffs' motion for summary judgment and cross-motion for summary judgment, not to exceed 25 pages;
Mar. 16, 2018:	Plaintiffs file their combined opposition and reply brief, not to exceed 30 pages;
April 16, 2018:	Defendants file their final reply brief, not to exceed 15 pages;
April 19, 2018:	Defendant-intervenors file their final reply brief, not to exceed 15 pages;
May 10, 2018:	Oral argument on cross-motions to be held at 8:00 am.

This is a very generous and relaxed briefing schedule. Please do not ask for any continuances.

Any snafus that arise should be brought to the Court's attention immediately.

IT IS SO ORDERED.

Dated: September 27, 2017.

